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C O N F I D E N T I A L HARARE 000128

SIPDIS

AF/S FOR SDELISI, LAROIAN, MRAYNOR
AF/PD FOR DFOLEY, CDALTON
NSC FOR SENIOR AFRICA DIRECTOR JFRAZER, DTEITELBAUM
LONDON FOR CGURNEY
PARIS FOR CNEARY
NAIROBI FOR TPFLAUMER

E.O. 12958: DECL: 01/22/2014
TAGS: [PGOV](#) [PHUM](#) [KPAO](#) [PREL](#) [SA](#) [ZI](#)
SUBJECT: DAILY NEWS BACK ON STREETS

REF: (A) HARARE 73 (B) HARARE 61 (C) HARARE 47 (D) 03
HARARE 2454 AND PREVIOUS

Classified By: Political Officer Win Dayton Under Section 1.5(b)(d)

[11.](#) (U) High Court Judge Tendai Uchena on January 21 again ordered the police to vacate the premises of The Daily News (TDN) following an admission in court by the Attorney General's office that there was no legal basis for police occupation of the premises. After receiving a call on January 21 from the police advising that they would no longer obstruct TDN publication, TDN staff proceeded to publish a January 22 edition -- its first edition of the new year and only its second since the government shut it down on September 12.

[12.](#) (C) COMMENT: After the government had ignored no fewer than four previous court orders to permit resumption of publication by TDN and its sister, The Daily News on Sunday, the sudden police withdrawal was surprising. Why now? The GOZ is not prone to accidents or acts of kindness and a number of factors may have converged. Director of Civil Division Loice Matandamoyo and others in the Attorney General's office appear to have played a constructive role. They have been urging police to vacate TDN premises for weeks and publicly voiced agreement with earlier court orders.

[13.](#) (C) COMMENT (CONT'D): TDN editor Sam Nkomo pointed to evolving dynamics between the police, the judiciary, and party rivals in the wake of the Philip Chiyangwa affair (ref A) as a possible factor. Prominent ZANU-PF politician/businessman Chiyangwa's continued detention (in part for threatening police in open court) despite an explicit court order instructing his release provoked dueling statements from prominent ruling party figures about the imperative of following court orders vs. the need for the police to command respect. The dissonance between such statements and the treatment of TDN may have influenced decisive players to soften their stance on TDN.

[14.](#) (C) COMMENT (CONT'D): Perhaps more significantly, the closure of TDN in the face of contrary court orders had been driven by Information Minister Jonathan Moyo -- a widely despised and feared hardliner with many enemies. Many in the ruling party quietly supported the re-opening of TDN for a variety of reasons, not the least of which was to stem Moyo's growing stranglehold on information in Zimbabwe. In recent months, Moyo has used his control of The Herald, ZBC and other GOZ information outlets increasingly to aggrandize his own stature and power, often at the expense of ruling party rivals. TDN's return serves Moyo's rivals purposes by keeping GOZ public information more balanced and by making Moyo appear to lose face.

[15.](#) (C) COMMENT (CONT'D): South African Government influence may have played an additional important role. TDN's publisher Strive Masiyiwa told Embassy Harare's USAID Director in South Africa January 21 that his publishing associates had strong access to Mbeki's office. According to Masiyiwa, Mbeki had met with them for up to three hours at a time on Zimbabwe and was visibly angry during such meetings over GOZ prevarications on TDN. We note a possible connection between TDN's reappearance and President Mbeki's public announcement the same day that the MDC and ZANU-PF had committed to resume their dialogue. Mbeki's gesture reflects well on the GOZ even though MDC officials told us today that there has been no progress in fixing modalities for inter-party discussions (ref C).

SULLIVAN